

GEN. BUTLER CONCLUDES.

Mrs Caswell Review of the Testimony in the Hoyt Will Case.

Gen. Benjamin F. Butler concluded his argument in the Hoyt will case yesterday.

"In 1879," he said, referring to Dr. Millard's testimony, "there was trouble between Miss Mary Irene Hoyt and her father, growing out of a matrimonial affair in which the daughter was interested. When Jesse Hoyt threatened to send his daughter to a madhouse, she turned upon him and exclaimed:

"If you send me to the asylum I'll expose you to the people. You pretend to be a churchman. Mother and I will tell what we know about you. We want you to be tyrannical. You are a mean man. You swear."

"Hoyt said: 'Why, Mary, haven't I always treated you kindly?' and she retorted:

"You are a—old scoundrel. You choked me on the sofa until I cried and roused the neighbors." Jesse Hoyt didn't attempt to deny his daughter's charge that he had thus treated her. He said, however, that Dr. Millard was right when he signed a certificate indicating that he thought it was his duty as the family physician to do so. Mary Irene Hoyt was not insane, and no evidence had been produced to show that she was.

"Dr. Millard says she ran after a cook with a carving knife, was because the man married before her father was not fit for him to eat. Millard went to the ash barrel where the meat was cooking, and told him to go away, as it was the only piece of meatbreakfast on earth."

"Dr. Millard admits that he threatened the old man if that he didn't send his daughter away. He said, however, that he made a mistake to send her away, were the last words of the dying father.

"The old man died, and will of his own, they made one for him. The only thing he had in his will was the legacy he made to Saginaw, and Van Santvoort wanted to change that. The conditional clause was upon him. That was enough," waving his hands.

There is no evidence that Mr. Jackson's eyes were closed when he died, and he was buried before his father was not fit for him to eat.

Lawyer Butler said: "There was nobody else at that scene, or witnesses would have been called to show that his eyes were not cold and glassy, and it makes me think that the eye of a man who is robbing another must be cold and glassy."

"I know that," Gen. Butler said. "There was a good deal of talk about the will, and the last words of the dying father were the last words of the dying father."

Lawyer Bennett sent on to Albany yesterday for the full text of the decision. He said it was that of the trial court, and that it was a great importance to Indians Catholics to have their cause heard.

Mr. Jackson was in the stand," said Mr. Cheane, "and he doesn't permit him to do much swearing."

"Well," ejaculated Gen. Butler, "you didn't think me fit enough to permit a hired witness to say anything. No! I never thought of it."

There was laughter in the court room, and the Surrogate was asked to rule the spectators to order. Gen. Butler said that the trial court of Justice Hoyt's deathbed and the millionaire's end.

"Hoyt," he said, "owned large property, and he died in his bed, but he left several days with the amount, \$60,000, which he was to receive, stated in his will."

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